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FRANKLIN COUNTY JAIL

Chambersburg, PA

Standard Operating Procedure

Chapter:	400	Activities and Support Services	Number:	400.05	Pages:	4
Title:	05	Incoming Publications	Date Signed:		8/18/2015	
Approved By:		<i>William Bechtold</i> William Bechtold, Warden	Effective Date:		8/25/2015	

POLICY

It is the policy of the Franklin County Jail (FCJ) to permit inmates to receive publications, up to a maximum of five (5), with some restrictions.

PURPOSE

To describe the procedure to be followed by staff to process and control inmate personal publications.

REFERENCES

ACA 4-ALDF-5B-07, 5B-08
PA Title 37 95.234, 95.245

DEFINITIONS

Publication: Any newspaper, book, or magazine that is circulated among the public for conveying information.

Obscene: Sexually explicit material containing nudity or sexually explicit acts.

PROCEDURES

1. Requesting and Receiving Publications
 - 1.1 Newspapers, books, and magazines are acceptable for delivery through the US Mail provided these materials are paid for in advance and are mailed or shipped directly from the publisher or approved bookstore to the jail and addressed to the inmate.

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- 1.2 Publications will be mailed or dropped off by the US Mail at the facility on a daily basis, and will be sorted and distributed to the inmates according to the FCJ Mail Policy (FCJ SOP 400.04 – Mail).
 - 1.2.1 Publications must be received via the US Mail or delivered by newspaper carriers; items received via any other means will not be accepted.
 - 1.2.2 Received publications will be marked with the inmates name and date received.
 - 1.2.3 Staff are not permitted to take or read an inmate's publication(s) for their personal use.
 - 1.2.4 Incoming publications may be read and examined by the Warden or designee.
- 1.3 Publications will be held for a limited period of time (thirty (30) days) for individuals housed temporarily at other facilities. Inmates permanently transferred to another facility or discharged from the FCJ will be responsible for arranging to have publications forwarded to another address upon release, or they will be returned to sender. Publications received after discharge will be returned to sender.
- 1.4. Newspapers
 - 1.4.1 All stickers applied to any newspapers will be removed.
 - 1.4.2 Inserts will be removed from all jail provided newspapers.
 - 1.4.3 Inserts will remain in inmate's personal newspapers. With the exception of any free samples as noted in 2.1.2 below.
2. Restrictions
 - 2.1 Inmates may have no more than a maximum of five (5) personal publications, which includes any combination of newspapers, magazines, or books. Staff will be responsible for enforcing this limit; any abuse of this privilege will result in a loss of this privilege.
 - 2.1.1 Inmates may not receive more than one copy of any publication.
 - 2.1.2 If the publication contains a free sample item (lotion, perfume, etc.) the item(s) shall be removed from the publication and the publication is to be delivered to the inmate. If the item cannot be removed, the publication will be returned to the sender.
 - 2.1.3 Ordinarily books must be paperback, only.

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- 2.2 Inmates will not be allowed to have in their possession magazines that are more than two (2) months old. These items must be mailed out at the inmates expense or disposed of.
- 2.3 Inmates will not be allowed to have in their possession newspapers that are more than three (3) days old. Newspapers more than three (3) days old will be confiscated and disposed of.
- 2.4 Publications are subject to inspection for contraband and information that poses a risk to facility safety and security. Publications that contain information that poses a risk to the order, safety and security of the FCJ will not be forwarded to an inmate. The inmate will be notified, in writing, the reason the publication is being restricted.
- 2.5 The FCJ will utilize the PA Department of Corrections List of Denied/Permitted Publications. In addition, the Warden or designee may exercise discretion to reject a publication if it is determined to be detrimental to the security, good order, or safety of the facility. A publication may be rejected in its entirety. If only a portion is objectionable, the entire publication will be rejected.
- 2.6 Magazines and newspapers that are prohibited by the United States Postal Service are not authorized for delivery to an inmate. Publications that may be rejected include but are not limited to those that meet one or more of the following criteria:
 - Depicts or describes procedures for the construction or use of weapons, ammunition, bombs or incendiary devices
 - Depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings or similar descriptions of FCJ
 - Depicts or describes procedures for brewing alcoholic beverages, or the manufacture of drugs
 - Is written in code
 - Anything gang related
 - Depicts, describes or encourages activities which may lead to the use of physical violence, group disruption, encourages gang friction within the institution
 - Encourages or instructs in the commission of criminal activity
 - Sexually explicit material, which by its nature or content poses a threat to the security, good order, or safety of the institution or its occupants, or detracts from the efforts directed toward offender rehabilitation
 - Advocates or leads to prohibited inmate sexual activity
 - Advocates racial, religious, or national hatred

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- Any material considered obscene
- 2.7 Any personal inmate publications found in the possession of another inmate, outside his/her cell or cubicle, or altered in any way will be confiscated and appropriate disciplinary action taken.
- 2.7.1 Staff should be aware that newspapers that are provided by FCJ to each housing unit on a daily basis, which are for use by all individuals in the housing unit, should only be confiscated if it is being misused or older than three (3) days.
- 2.8 Any violation of the publication privilege could result in temporary loss of privileges, and any repeated violations will result in permanent loss of the privilege.
- 2.9 Any publication that is received and is not approved, allowed, or the inmate is no longer housed at the facility will be returned to the sender. A Rejected Correspondence Notice (FCJ Form 400.04-2) explaining why the item was rejected will be given to the inmate and a copy will be placed in the inmate's file.

ATTACHMENTS

FCJ Form 400.04-2 Rejected Correspondence Notice